

# FINAL BILL REPORT

## HB 2811

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C 138 L 94  
Synopsis as Enacted

**Brief Description:** Eliminating obsolete practices in state procurement.

By Representatives Caver, Anderson, Wolfe, Reams, Ballard, Pruitt, Jones, Dunshee, Quall, Karahalios and Springer; by request of Department of General Administration.

House Committee on State Government  
Senate Committee on Government Operations

**Background:** Under current law, the Office of State Procurement (OSP) within the Department of General Administration (GA) is required to conduct periodic visits to state agencies and institutions of higher education to determine compliance with procurement statutes and supporting departmental policy. OSP is also required to take corrective action. According to GA, these functions have never been funded.

In 1933 and 1937, the Legislature passed a series of laws requiring that the state, local governments, and school districts purchase fuel "wholly mined or produced within the state" unless the costs of using the fuel is over 5 percent greater than the costs of using out-of-state fuel. In 1938, and again in 1989, the state Supreme Court held that these statutes are unconstitutional.

In 1967, the Legislature passed a law requiring that bidders on public contracts furnish certified statements setting forth the nature and source of offshore items in excess of \$2,500 that have been used in the performance of contracts. GA is required to keep these statements for five years. According to GA, these requirements have not been implemented since 1967.

The director of GA is required to establish a "Forms Management Center" to coordinate, design, implement and maintain a statewide forms management program. According to GA, this program has not been funded for over 10 years.

**Summary:** The requirement that the Office of State Procurement conduct periodic compliance visits to state agencies and higher education institutions is repealed. OSP is required to advise these agencies regarding compliance.

The statutes requiring that the state, local governments and school districts purchase fuel produced within the state are repealed.

The statute that requires bidders on public contracts to furnish certified statements setting forth the nature and source of offshore items in excess of \$2,500 used in the performance of contracts is repealed.

The Forms Management Center is repealed.

**Votes on Final Passage:**

House	97	0
Senate	46	0

**Effective:** June 9, 1994